

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA

REGINALD PERKINS,

Plaintiff,

v.

//

CIVIL ACTION NO. 1:08CV225  
(Judge Keeley)

WARDEN K. DEBOO,

Defendant.

ORDER ADOPTING REPORT AND RECOMMENDATION

On December 24, 2008, the pro se plaintiff, Reginald Perkins ("Perkins") filed this civil rights action against Warden DeBoo ("DeBoo") seeking relief pursuant to the Federal Tort Claim Act, 28 U.S.C. §§ 2671 et. seq. ("FTCA"). Perkins claims he lost his property during his transfers between federal penitentiaries. The Court referred this matter to United States Magistrate Judge James E. Seibert for initial screening and a report and recommendation in accordance with Local Rule of Prisoner Litigation 72.01.

On February 27, 2009, Magistrate Judge Seibert issued a Report and Recommendation ("R&R") in which he recommended that Perkins' complaint be dismissed with prejudice for failure to state a claim because § 2680(c) excepts from the FTCA's waiver of sovereign immunity "[a]ny claim arising in respect of the . . . the detention of goods, merchandise, or other property by any officer of customs or excise or any other law enforcement officer." Moreover, "any other law enforcement officer" includes officers employed by the Federal Bureau of Prisons. Ali v. Fed. Bureau of Prisons, 552 U.S. 214 (2008).

---

**ORDER ADOPTING REPORT AND RECOMMENDATION**

---

On April 7, 2009, Perkins filed his objection to the R&R, stating that he has presented facts supporting his claim, that he has "clearly" shown a claim and that the Magistrate Judge "ignored the facts and claims presented." Dkt. no. 16.

Objections to an R&R, however, must be specific. Page v. Lee, 337 F.3d 411, 416 n.3 (4th Cir. 2003). In this case, Perkins only raises a cursory objection to the R&R and, specifically, he does not object to the legal analysis provided in the R&R. The Magistrate Judge properly applied the controlling legal standard of Ali v. Fed. Bureau of Prisons, 552 U.S. 214 (2008), to the facts in the case in determining that § 2680(c) of the FTCA preserves sovereign immunity for torts committed by employees of the Federal Bureau of Prisons.

The Court, therefore, **ADOPTS** the Report and Recommendation in its entirety, **DISMISSES WITH PREJUDICE** the complaint (dkt. no. 1) and **STRIKES** the case from its docket.

It is so **ORDERED**.

The Court directs the Clerk to send a copy of this Order to the pro se plaintiff, certified mail, return receipt requested.

Dated: June 11, 2009.

/s/ Irene M. Keeley  
IRENE M. KEELEY  
UNITED STATES DISTRICT JUDGE